

SECOND REGULAR SESSION

HOUSE BILL NO. 1692

91ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES OVERSCHMIDT, KOLLER AND HOPPE (Co-sponsors).

Read 1st time January 29, 2002, and 1000 copies ordered printed.

TED WEDEL, Chief Clerk

3606L.02I

AN ACT

To repeal section 311.178, RSMo, and to enact in lieu thereof one new section relating to liquor sales by the drink in a convention trade area.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 311.178, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 311.178, to read as follows:

311.178. 1. Any person possessing the qualifications and meeting the requirements of this chapter who is licensed to sell intoxicating liquor by the drink at retail for consumption on the premises in a [first class] **of the first classification** county having a charter form of government and not containing all or part of a city with a population of over three hundred thousand, may apply to the supervisor of liquor control for a special permit to remain open on each day of the week until 3:00 a.m. of the morning of the following day. The time of opening on Sunday may be 11:00 a.m. The provisions of this section and not those of section 311.097 regarding the time of closing shall apply to the sale of intoxicating liquor by the drink at retail for consumption on the premises on Sunday. The premises of such an applicant [must] **shall** be located in an area which has been designated as a convention trade area by the governing body of the county and the applicant must meet at least one of the following conditions:

(1) The business establishment's annual gross sales for the year immediately preceding the application for extended hours equals one hundred fifty thousand dollars or more; or

(2) The business is a resort. For purposes of this [section] **subsection**, a "resort" is defined as any establishment having at least sixty rooms for the overnight accommodation of transient guests and having a restaurant located on the premises.

EXPLANATION — Matter enclosed in bold faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

17 2. Any person possessing the qualifications and meeting the requirements of this
18 chapter who is licensed to sell intoxicating liquor by the drink at retail for consumption on
19 the premises in a county of the third classification without a township form of government
20 and with more than twenty-three thousand five hundred but less than twenty-three
21 thousand six hundred inhabitants, a county of the third classification without a township
22 form of government and with more than nineteen thousand three hundred but less than
23 nineteen thousand four hundred inhabitants, or a county of the first classification without
24 a charter form of government and with more than thirty-seven thousand but less than
25 thirty-seven thousand one hundred inhabitants, may apply to the supervisor of liquor
26 control for a special permit to remain open on each day of the week until 3:00 a.m. of the
27 morning of the following day. Other provisions of law to the contrary notwithstanding, a
28 resort as herein defined which holds a special permit authorized by this subsection shall
29 be permitted to sell, on its premises and to overnight transient guests of the resort,
30 intoxicating liquor by the drink between the hours of 1:00 a.m. and 3:00 a.m. The time of
31 opening on Sunday may be 11:00 a.m. The provisions of this section and not those of
32 section 311.097 regarding the time of closing shall apply to the sale of intoxicating liquor
33 by the drink at retail for consumption on the premises on Sunday. The applicant shall
34 meet all of the following conditions:

35 (1) The business establishment's annual gross sales for the year immediately
36 preceding the application for extended hours equals one hundred thousand dollars or
37 more; and

38 (2) The business is a resort. For the purposes of this subsection, a "resort" is
39 defined as any establishment having at least sixty-five rooms for the overnight
40 accommodation of transient guests, having at least three thousand square feet of meeting
41 space and having a restaurant located on the premises.

42 3. An applicant granted a special permit [under] pursuant to this section shall, in
43 addition to all other fees required by this chapter, pay an additional fee of three hundred dollars
44 a year payable at the time and in the same manner as its other license fees.

45 [3.] 4. The provisions of this section allowing for extended hours of business shall not
46 apply in any incorporated area wholly located in any [first class] county of the first
47 classification having a charter form of government which does not contain all or part of a city
48 with a population of over three hundred thousand inhabitants until the governing body of such
49 incorporated area shall have by ordinance or order adopted the extended hours authorized by this
50 section.